

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ABU DHABI COMMERCIAL BANK, et al., :
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Plaintiffs, : 08 Civ. No 7508 (SAS)
- against - :
MORGAN STANLEY & CO. INC., et al., : ECF Case
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Defendants. :
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**NOTICE OF DEFENDANTS MORGAN STANLEY & CO. INCORPORATED'S
AND MORGAN STANLEY & CO. INTERNATIONAL LIMITED'S MOTION
FOR SUMMARY JUDGMENT PURSUANT TO FEDERAL RULE OF CIVIL
PROCEDURE 56(c)**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Their Motion for Summary Judgment Pursuant to Federal Rule of Civil Procedure 56(c), the Declaration of James P. Rouhandeh and the exhibits thereto, and all the pleadings and proceedings herein, Morgan Stanley & Co. Incorporated and Morgan Stanley & Co. International Limited ("Morgan Stanley") by and through its undersigned counsel hereby moves this Court before the Honorable Shira A. Scheindlin, United States District Judge for the Southern District of New York, at the United States Courthouse located at 500 Pearl Street, Courtroom 15C, New York, New York 10007, for an order, pursuant to Federal Rule of Civil Procedure 56, granting summary judgment in favor of Morgan Stanley and against plaintiffs on the claim for negligent misrepresentation asserted against Morgan Stanley in the Ninth Amended Complaint, and granting such further relief as the Court deems proper and just. Morgan Stanley respectfully requests oral argument on this motion.

Dated: November 30, 2012
New York, New York

DAVIS POLK & WARDWELL LLP

By: /s/ James P. Rouhandeh

James P. Rouhandeh

james.rouhandeh@davispolk.com

Antonio J. Perez-Marques

antonio.perez@davispolk.com

Paul S. Mishkin

paul.mishkin@davispolk.com

Jessica L. Freese

jessica.freese@davispolk.com

450 Lexington Avenue
New York, New York 10017
(212) 450-4000

Counsel for Defendants Morgan Stanley & Co. Incorporated and Morgan Stanley & Co. International Limited